

**Notice of Rule Making**  
**Arkansas Department of Human Services Administrative Rule**  
**Child Care System Agreement (Form DHS-9800)**

Pursuant to the U.S. Omnibus Budget Reconciliation Act of 1981, Ark. Code Ann. Stat. 20-76-201 and Ark. Code Ann. Stat. 25-10-101, et. seq., the Director of Division of Child Care and Early Childhood Education proposed changes to the Child Care System Agreement (FORM DHS-9800). The proposed changes to the DHS-9800 are to establish provider participation in the Department of Human Services (DHS) Child Care Program and to set forth general departmental and provider responsibilities and assurances.

Under the proposal, the definitions for early departure, holiday billing, hours of care and Spring Break were either revised or added; incorporated a provision to indicate that a notice in the form of a written, faxed or electronic mail will be forwarded to the provider allowing authorization for a child to attend the facility until the Certification of Authorization has been received; incorporated a provision to indicated that the provider must attend mandatory bi-annual training instead of annual; incorporated a provision to inform new voucher participants that the facility owners must attend mandatory training within sixty (60) days of the signing the Agreement; incorporated a provision to indicate that DHS will not permit billing when the facility is closed unless it is an observed holiday or inclement weather; the word “observed” was incorporated to indicate holidays are allowed if they are observed by the State of Arkansas on a day other than the day that the holiday falls on; incorporated a provision to indicated that the provider agrees to notify DHS whenever a child has accrued seven consecutive absentee days in any given month per child; incorporated a provision to indicate that the Provider must notify DHS by notice in the form of fax, telephone or electronic mail when a child that’s on the Child Care Voucher Program withdraws from the facility and incorporated a provision to change the timeframe from five to seven days to when the written notice should be mailed to DHS by regular U. S. Postal Services from the Provider; incorporated a provision to inform the providers that DHS will not allow billing for Christmas Break; however Spring Break is allowed and does constitutes as part of the seven days allowed for absentee days; incorporated a provision to inform the providers that DHS will maintain documentation when notifying the provider regarding the ineligibility of a child who has been authorized to attend the facility; clarification was incorporated to indicate that DHS does not pay providers when the facility is closed unless it is an observed holiday or inclement weather; incorporated a provision to clarify that DHS does not recognize employee’s discount or multi-child discount offered by a provider; the website address for the approved DHS attendance forms was incorporated for the provider’s convenience and a provision was incorporated to include a change in business structure also requires the provider to notify DHS.

The proposed policy is available for review at the Division of Child Care and Early Childhood Eudcation, 1<sup>st</sup> Floor, Donaghey Plaza South Building, 7<sup>th</sup> and Main Streets, P O Box 1437, Slot S145, Little Rock, Arkansas 72203-1437. All comments must be in writing within thirty (30) days from the date of this published notice.

The Department of Human Services, Division of Child Care and Early Childhood Education is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to age, religion, disability, political affiliation, veteran status, sex, race, creed, color or nation origin.

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**Tonya Russell**  
**Director**  
**Division of Child Care and Early Childhood Education**

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**Date**